

**Snell & Wilmer**  
L.L.P.  
LAW OFFICES

One Arizona Center  
Phoenix, Arizona 85004-2202  
(602) 382-6000  
Fax: (602) 382-6070  
www.swlaw.com

Jeffrey W. Crockett (602) 382-6234  
jcrockett@swlaw.com

Ms. Nancy Cole, Supervisor  
Docket Control  
ARIZONA CORPORATION COMMISSION  
1200 West Washington  
Phoenix, Arizona 85007

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Arizona Corporation Commission  
**DOCKETED**

APR 30 2002

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Re: *Western CLEC Corporation (Docket No. T-03590A-98-0364)*

Dear Nancy:

On May 4, 2001, the Arizona Corporation Commission issued Decision No. 63657 granting a CC&N to Western CLEC Corporation to provide facilities-based and resold telecommunications services in Arizona. In that decision, Western CLEC was required to satisfy certain conditions as set forth in Findings of Fact Nos. 19 and 20. On June 4, 2001, Western CLEC submitted a compliance filing addressing certain of the conditions.

On November 21, 2001, Western CLEC requested an extension of time to comply with the condition that Western CLEC procure a \$100,000 performance bond pursuant to Finding of Fact No. 19(r)(4). In a Procedural Order issued February 26, 2002, Western CLEC was ordered to file proof of its performance bond by April 12, 2002, or 30 days prior to providing service in Arizona, whichever occurs first. The Procedural Order stated that no further extensions would be granted, and that failure to comply with the performance bond requirement would result in the voidance of Western CLEC's CC&N without further order of the Commission.

As a result of the current market conditions, Western CLEC has reluctantly decided that it will not enter the Arizona telecommunications market at this time. Thus, Western CLEC has not procured a performance bond. Western CLEC is very appreciative of the efforts expended by the Commission and its Staff in this matter. If Western CLEC subsequently decides to enter the Arizona market, then the company will re-apply for a CC&N at that time.

Very truly yours,

SNELL & WILMER

Jeffrey W. Crockett

JWC:gdb

cc: Docket Control (Original and 11 copies)  
Ernest G. Johnson  
Patrick C. Williams  
Nathan Glazier

Crockett\PHX\1135764.1

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